

**2004**

# **TRANSPORTATION Enhancement Guidelines**



Utah Department of Transportation  
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## WHAT IS THE TRANSPORTATION ENHANCEMENT PROGRAM?

The U.S. Congress created the Transportation Enhancement program as a part of the federal highway bill known as the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). This program was reauthorized through fiscal year 2003 with the passage of the Transportation Equity Act for the 21<sup>st</sup> Century of 1998 (TEA-21). The Transportation Enhancement program provides opportunities to use federal highway dollars to enhance the cultural, aesthetic, and environmental aspects of the nation's intermodal transportation system. To qualify for funding all projects must be related to surface transportation and fit into at least one of the 12 federally-designated activities.

Applications are being accepted for federal fiscal year 2004 and 2005, based upon the anticipated Congressional authorization of continued program funding under either the current or a new highway bill. Projects will be selected based upon qualifying criteria but will not be awarded until funds have been authorized for this purpose. The annual funds available to Utah for this program are estimated at \$3 million per year.



## WHO CAN APPLY FOR FUNDING?

*Virtually Anyone Can Apply for Funding with the Sponsorship of a Governmental Body*

Any federal, state, tribal or local government, group, or individual may apply for enhancement funding. However, a governmental body must sponsor the project. This restriction is necessitated by project development and financial administration requirements. An authorized representative of the sponsoring agency must execute the "Intent to Fund and Maintain" form attached to the application in order to be considered in the selection process.

Project funds are provided to successful project sponsors on a reimbursement basis only. Sponsors must have the financial capability to advance project costs for material and contractors, as well as the capability and resources to maintain the completed project.

It should be noted that this program may not be practical for everyone. All funded projects must advance in accordance with federal and state laws, regulations, and procedural requirements, some of which may prove onerous. Each applicant should judge the appropriateness of this program as the source of funding for their particular need.

## WHAT TYPE OF PROJECTS ARE ELIGIBLE?

### Requirements

All applicants must clearly establish that their proposed project relates to the surface transportation system, as required by federal law. This relationship should be considered on the basis of **Function**, **Proximity**, and **Impact**.

**Function** concerns whether the facility being improved is, or ever was, part of the intermodal transportation system. For example: an independent bike path is currently a functional component of the intermodal system, as is a historic railway station restored to a transit center or transportation museum.

**Proximity** applies to whether the improvement is close to the intermodal transportation system so that it will be enjoyed by the users of the system. For example: landscaping of a freeway interchange or street-scaping of a highway passing through a downtown area. (Proximity to a component of the surface transportation system alone is not enough to make a site eligible.)

**Impact** refers to the effect a project improvement will have on either the community, the natural environment, or highway users. For example: a settling basin will have a beneficial impact on the highway runoff into an adjacent stream, or a property acquisition can provide a scenic easement and/or open space buffer.

The level of the relationship between the enhancement project and the transportation system must be clearly identified by the application. Those projects with a true functional purpose which facilitates the movement of people are most likely to be approved by the Transportation Commission.

Some additional guidelines:

Every project must result in a fully completed and functional project for use by the general public, or by a large segment of the public, on a not-for-profit basis.

Enhancement funds will be considered for construction and reconstruction of transportation facilities only if they go beyond what is normally required for federally-funded projects.

Mitigation required by federal regulation or activities included as environmental commitments in a regular transportation project are not eligible for funding under this program. Mitigation that exceeds these requirements or retrofit projects intended to mitigate impacts of existing facilities may be eligible.

Enhancement funding is available only for capital improvements. Long-term maintenance is the responsibility of the Project Sponsor. Enhancement projects will be evaluated in part on their potential for long-term stability.



### Eligible Project Activities

The 12 activities eligible for funding under the Transportation Enhancement Program are listed below. Any proposed project must address one or more of these activities:

1. Provision of facilities for pedestrians and bicycles.
2. Provision of safety and educational activities for pedestrians and bicyclists.
3. Acquisition of scenic easements and scenic or historic sites.
4. Scenic or historic highway programs and provision of tourist and welcome center facilities.
5. Landscaping and other scenic beautification.
6. Historic preservation.
7. Rehabilitation and operation of historic transportation buildings, structures, or facilities.



8. Preservation of abandoned railway corridors, including their conversion and use for pedestrian or bicycle trails.
9. Control and removal of outdoor advertising.
10. Archaeological planning and research.
11. Environmental mitigation of runoff pollution and provisions related to wildlife connectivity.
12. Establishment of transportation museums.

A more detailed, illustrative description of these activities is available on the UDOT Enhancement web site at [www.udot.utah.gov/progdev/enhance](http://www.udot.utah.gov/progdev/enhance)



*Application for any eligible activity will be accepted and considered. However, pedestrian, bicycle, and landscape projects have been set as a funding priority.*

## **PROGRAM POLICIES**

### **Applications**

UDOT is currently accepting applications for transportation enhancement projects. To be eligible, a proposal must meet the requirements set forth in these instructions. Complete applications are due by 5:00 p.m. on Wednesday, December 10, 2003. Applications submitted by fax or e-mail will not be accepted. One original and 8 copies of the application, punched for a standard 3-ring binder, must be submitted. (Binders will be provided by UDOT; applicants need not include binders in the submission.) The application is limited to a maximum of 14 pages,

with exceptions as noted in these guidelines.

The Utah Transportation Commission has appointed an Enhancement Advisory Committee (EAC) to assist them in administering the enhancement program. The EAC is made up of individuals with planning, engineering, and landscaping backgrounds who can provide a professional evaluation of the submitted applications. This committee submits their list of recommended projects to the Transportation Commission for approval. The Commission makes the final determination of which projects will be programmed and includes these in the Statewide Transportation Improvement Program (STIP). Projects are expected to be bid within two years from project selection. The relatively small size of these projects should enable most of them to be constructed within a year of the bid award; projects should be completed and closed out within two years of beginning construction.

### *Federal, State, and Local Requirements*

Transportation enhancement projects must comply with all applicable federal, state, and local laws and regulations, including but not limited to the National Environmental Policy Act (NEPA), contracting for services, Fair Labor wage rates and standards, acquisition of property, Civil Rights Act, Affirmative Action, the Disadvantaged Business Enterprise (DBE) program, and the Americans with Disabilities Act (ADA).

Davis-Bacon (D-B) wage rates will apply for all projects which are located within the right of way of a Federal Aid Highway. D-B does not apply to: (1) projects located outside a Federal Aid Highway right of way and not directly linked to the highway, (2) labor volunteered to, and under direct control of, the sponsoring agency, and (3) force-account work performed by the sponsoring agency. A contractor may not use volunteer labor.

Applicants are encouraged to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform appropriate transportation enhancement activities. The use of convict labor is not allowed on projects within the highway right of way of federal-aid highways, but may be used on other projects.

## *Project Completion*

When complete, each project or project phase must be a whole and functional enhancement that can stand alone if no further funding becomes available. Phased projects should be submitted with separate applications for each phase. Receiving funding for a project phase does not, in any way, guarantee funding of future phases, or allow money to be transferred from one phase to another. Preference will be given to projects that can be completed in a single construction season.

## **Funding**

### *Reimbursement Program*

A significant feature of the Transportation Enhancement Program (TEP) is that it is a federal reimbursement program and **not** a grant program. All work must first be funded by the applicant or sponsor and is then eligible for program reimbursement. The Utah Department of Transportation (UDOT) collects and administers all funds. Transportation enhancement funds can be used for up to 80% of eligible project costs. The 20% matching funds required from the Project Sponsor may include a combination of hard and soft dollar match.

Program funding is limited to eligible expenditures and must be approved in advance of incurring costs. Any work done in advance of approvals and authorizations is not considered to be reimbursable. If federal and state requirements are adhered to, some cost incurred prior to project approval may be counted toward match requirements.



Hard match can be cash from the Sponsor's regular budget process, a real estate contribution which is integral to the proposed project, or federal funds from sources other than USDOT (Housing and Urban Development, Bureau of Indian Affairs, Forest Service, National Park Service, Bureau of Land Management, Fish and Wildlife Service, etc.) Cost of property to be purchased or value of property to be donated may be used as match for federal funds. Real estate acquisitions must meet the federal and state requirements for property acquisition.



Federal regulations state that property used for local match may be held by a land trust, conservation organization, historic preservation foundation, or similar not-for-profit entity. In such a case, UDOT will require an agreement between the organization and the public agency acting as the Primary Sponsor which stipulates the public access and not-for-profit requirements, and which will be binding in perpetuity on the organization's heirs and assigns. The agreement will also stipulate that ownership of the property will revert to the public agency in the case of dissolution of the organization or a departure from its nonprofit status.

Soft match consists of all other funds or resources used specifically for preconstruction and construction of the defined project, including donations of materials or in-kind services. Examples of in-kind services include volunteer labor (must be able to quantify value) and use of Sponsor forces for labor (requires letter of commitment stating quantities and value of service as well as a Finding of Public Interest showing a comparable value to contract labor). An elected official's time may not be counted as match. The Project Sponsor is responsible for determining the value of soft match contributions and for providing documentation of the methods and sources of value determination to UDOT. Soft match value will be negotiated at the time of executing the cooperative agreements; adjustments will be made at the time of bid.

Sponsors are encouraged to be very careful in the preparation of the cost estimate for projects. They should be developed with the help of an experienced professional with relevant expertise. The amount of federal fund participation available for the project will be "capped" at the time a project is approved for funding. Any increases must be funded by the sponsor.

The scope of the project is also fixed at the time of approval. It is expected that the scope of work approved will be the same scope that results through implementation. It is recognized that situations may change during development and construction. If changes should become

necessary, a formal request for revision must be submitted to the Enhancement Program Manager for review and approval. Cost increases are not adequate reasons for later reductions in scope.

The federal share (percentage) of the total project will remain constant throughout the project until completion. Therefore, the local share of the project cost (amount and percentage) may increase if the total cost of the project increases. Conversely, if the project cost is less than the original amount established, the project will be funded based upon the originally-approved federal percentage. Any excess federal funds will remain in the State enhancement fund for use on other projects.

### *Funding Levels*

Because funding for this program is limited, a maximum of \$500,000 enhancement funding per individual project has been established. A large number of applications is anticipated, describing many worthwhile projects throughout the State. The limit allows us to use the available funding to reach the greatest number of projects in the most effective way. A given project's total cost can certainly exceed \$500,000 but, enhancement funding should not be expected beyond that amount. The Enhancement Advisory Committee or the Transportation Commission may grant exception to this limit for special situations deserving additional consideration.

A minimum cost for proposals of at least \$50,000 has also been established. The administrative costs associated with processing a project through federal and state requirements can be sizable, so, the enhancement program is not cost-effective for small-scale requests. A solution to this limitation would be for several agencies to pool two or more small projects into one application of more than \$50,000, with one of the agencies acting as the Primary Sponsor.

### **Operation and Maintenance**

Transportation enhancement funding is only available for capital improvements. Long-term maintenance is the responsibility of the Project Sponsor. Enhancement projects will be evaluated on their long-term maintenance potential. The application should demonstrate how the project will be designed to minimize long-term maintenance obligations and should describe the resources available for maintenance. The Enhancement Advisory Committee will need

assurances that the Sponsor is fully committed to its role in the long-term maintenance and sustainability of the project and will expect an explanation on the application as to how the Sponsor expects to fund maintenance activities.



## **SUPPORT FOR PROJECT**

### **Planning Process**

Proposed projects should demonstrate conformity to existing local or state plans and policies. Projects proposed in the urbanized areas of the state require coordination with and support of the appropriate **Metropolitan Planning Organization** before submittal of the application. Sponsors of projects outside urbanized areas are encouraged to coordinate proposals through the **Association of Governments** for the project area. This requirement helps ensure that projects are coordinated between communities and agencies, and are consistent with regional efforts. A list of MPOs and AOGs is provided in Appendix A.

All projects require coordination with the **UDOT Region Director** for the project area. This coordination is intended not only to identify potential conflicts with state facilities or future plans, but to also provide an opportunity for the local Sponsor to consult with the Region Director about UDOT oversight costs, federal and state requirements, the eligibility and valuation of proposed soft matches, and of expenditures for



real estate or preliminary engineering made prior to STIP approval, etc. Key UDOT contacts are listed in Appendix A.

## **Public Involvement and Outside Support**

Opportunity for public input must be provided through a properly advertised public hearing, such as a City Council or County Commission meeting. The meeting must discuss the proposed project specifically, and the agenda must clearly state what the project entails. In addition to properly posted legal notices, any property owners directly impacted by the proposed project must be individually invited to attend and comment. Letters from affected property owners are to be included with the application and are not included in the page count.

## **APPLICATION GUIDELINES**



The following information explains the standard application form, line by line, and is intended to assist in the completion of the application.

1. Project Title - Provide a name to identify your project. It should be as brief and succinct as possible.
2. Project Location - Describe the area and communities affected and provide an 8 ½ x 11" map of the project area as an attachment.
3. Sponsor Information - Provide the name and address of the agency sponsoring the project.

4. Contact Person - Provide the name, title, address, and phone number of someone knowledgeable about the project, who can speak and act on behalf of the applicant.
5. Enhancement Activity - Identify the type of project by checking the most appropriate activity.
6. Brief Project Description - Provide an executive summary of the project, one or two paragraphs in length, that outlines the scope of the project. Use this description to indicate the site of the project and its limits.
7. Funding - State the amount of funding being requested, the amount of match being provided, and the total cost of the project. Show what percentage the match is to the total cost.
8. Expanded Project Description - Describe in detail the full scope of the project, including the project objectives and what exists today. Describe the physical connections and how the project is linked to the surface transportation system. The information presented here will be used to determine the project's eligibility and will be the basis for evaluating and ranking the project. Include maps, sketches, or photos, as necessary to clearly explain the project.
9. Project Benefits - Describe the benefits of the project and how it will improve the existing conditions or quality of life, including safety. How many people are likely to use/view the facility during a typical year?
10. Relation to Surface Transportation - Describe how the completed project is an enhancement and how it relates to the transportation system of the community, region, and/or state. Identify any federal, state, regional or local tourism, recreation, or transportation plans the project will be tied to.



11. Why Should This Project Be Funded? Include any additional information you would like to be considered that may set your application apart from others. One-time opportunity, unique situations, and safety enhancements are examples of additional concept information that may be helpful.
12. Project Support - Provide the names of agencies and organizations who are in support of this project. A sampling of letters of support should be attached to the application. Support for the project must be demonstrated through minutes of a public hearing held to discuss the project. The meeting agenda and minutes discussing the project are also to be included with the application.
13. Project Maintenance - The Sponsor is responsible for maintenance of the project. Provide the name of the person or agency that will maintain this project after its completion and an estimated annual budget.
14. Environmental Impacts - Identify the anticipated environmental impacts and opportunities of the proposed project. Refer to the Environmental Study form available at [www.dot.state.ut.us/esd](http://www.dot.state.ut.us/esd) for guidance in determining if the project will require an EIS, Categorical Exclusion or EA.
15. Project Schedule - Provide an anticipated project schedule with dates (month/year) to start and complete each phase of work.
16. Cost Estimate - The background for the funds requested in item 7 should be presented here in more detail. Great care should be taken in preparing an accurate estimate for the project. If a project receives funding, the amount received will be based on the cost estimate, and any additional funds required to complete the project will be the responsibility of the Sponsor.



#### *Application Attachments and Checklist*

The following items must accompany the application. Those marked with asterisks \*\* will not be included in the page count. All attachments must be punched to fit a standard 3-ring binder. (Do not submit a binder.)

- ☐ Project site plan of sufficient detail and scale to show project limits, adjacent state and local roads, major features, etc. A north arrow and graphical scale is required. Plans larger than 8 ½ x 11" must be folded and punched to fit a standard 3-ring binder.
- ☐ A large-scale (i.e. smaller, less detailed) vicinity map showing where the project is located in relation to communities and highways in the surrounding area.
- ☐ For trail projects: a map or exhibit showing how the proposed trail fits into the existing or planned trail network for the area.
- ☐ Photos (optional, but often enlightening) showing the project area.
- ☐ Selected letters demonstrating broad support.
- ☐ \*\*Agendas and relevant minutes of the public hearing.
- ☐ \*\*Letters of commitment for soft match from donors.
- ☐ \*\*Letters of intent or approval from affected private property owners.

- ☐ \*\*Letter of support from the Metropolitan Planning Organization or Association of Governments in the project area.
- ☐ \*\*Letter of support from the UDOT Region Director for your project area.
- ☐ \*\*Completed "Intent to Fund and Maintain" form.

## **SELECTION PROCESS AND INFORMATION ASSISTANCE**



Project proposals must meet eligibility criteria of the FHWA and the Enhancement Advisory Committee.

### ***Initial Screening Criteria***

Each proposal is screened by the UDOT Planning staff to ensure that it meets eligibility requirements under the federal highway bill and the minimum criteria developed by the State enhancement program. To advance to the Enhancement Advisory Committee, a proposal must demonstrate that it meets the following:

#### Federal Eligibility Criteria

1. The project must relate to a mode or modes of the intermodal surface transportation system by reason of function, proximity, or impact.
2. The project must be over and above normal transportation activities.
3. The project must qualify in one of the 12 stated enhancement activity areas.
4. The project Sponsor must document availability of matching funds.

#### State Enhancement Criteria

1. The application must be received in the UDOT Office of Program Development on or before 5:00 p.m. on Wednesday, December 10, 2003.
2. The Sponsor of the project must be a legal public agency.
3. The application must include, at a minimum, the information required in the application form, but shall not exceed 14 pages.
4. The application must include a copy of the agenda and minutes for the public meeting held to specifically discuss the proposed project and the application.
5. The "Intent to Fund and Maintain" form provided in the application package must be signed by an authorized representative of the Primary Project Sponsor.
6. The application must include letters of commitment from any participants contributing soft match, indicating quantities and value of services and materials to be provided.
7. The application must include recent letters of acknowledgement from any property owners directly affected by the project, demonstrating that they have been contacted and that they understand the impact.
8. The estimated time schedule must be clearly stated.



**Failure to submit ANY of these items will disqualify the project from further consideration during the initial screening process.**

### ***Secondary Screening Criteria***

Projects clearing the initial screening are reviewed by the Enhancement Advisory Committee based on additional criteria developed by the Committee. Some projects may be removed from consideration at this time.

## ***Project Presentations***

At the Committee's discretion, the Sponsor of each project passing the secondary screening may be invited to make a brief presentation to explain their project proposal and to clarify details. The tentative date for project presentations is on or about January 21, 2004. Selected applicants should plan on a 10-minute timed presentation, plus 10 minutes to answer questions from the Committee.

## ***Project Selection***

The Enhancement Advisory Committee will review, prioritize, and recommend a two-year program to the Utah Transportation Commission that falls within the anticipated amount of money available for each fiscal year. It is important for the application to demonstrate that the proposed project qualifies as an enhancement activity and to document the justification for its consideration. Projects will be compared against each other based on the information submitted. The Enhancement Advisory Committee will develop the ranking criteria to prioritize projects. These areas have historically been evaluated in the scoring process:

- < Project enhancement value
- < Linkage to the transportation system
- < Outside support
- < Sponsor support
- < Environmental status
- < Additional benefits and/or match
- < Relationship to other projects
- < Innovation, mix of activities

The Utah Transportation Commission will review the Enhancement Advisory Committee's recommended program and make a final decision on which enhancement projects to program into the Statewide Transportation Improvement Program (STIP). The Project Sponsor will work with UDOT to prepare plans and to construct the project in accordance with UDOT and FHWA policies.



## **PHOTOGRAPHS**

Page:

Cover	Parley's Canyon - North Bridge
1	Moab Bicycle/Pedestrian Path
2	Zion National Park Visitor's Center Shuttle Stop
3	Salt Lake City Bike Rack (200 South 350 West)
4	Utah State University Tunnel
5	Bonneville Shoreline Trail
6	Zion National Park Traffic-Calming Sidewalk Bulge
7	Cedar City I-15 Landscaping
8	Peteetneet Academy Street Scape (SR-198 Payson)
9	Jordan River Parkway Bridge (4500 South to 7800 South)

## APPENDIX A – ADDITIONAL INFORMATION AND ASSISTANCE

**For information or assistance on the enhancement process, please contact:**

Utah Department of Transportation  
4501 South 2700 West  
Box 143600  
Salt Lake City, Utah 84114-3600

George Thompson, Program Administrator  
(801) 965-4366 or gthompson@utah.gov

John Quick, Planning  
(801) 965-4808 or jquick@utah.gov

Terry Johnson, Scenic & Environmental  
(801) 965-4598 or terryjohnson@utah.gov

**For Right of Way questions:** UDOT Right of Way Division, Craig Fox (801) 965-4217

**For project coordination and technical assistance on UDOT costs and Design Control requirements, please contact the appropriate UDOT Region Director:**

### UDOT REGION OFFICES

#### Region 1

Ahmad Jaber, Region One Director  
169 North Wall Ave, P.O. Box 12580  
Ogden, UT 84412  
(801) 620-1640

#### Region 2

Randy Park, Region Two Director  
2060 South 2400 West  
Salt Lake City, UT 84104  
(801) 975-4844

#### Region 3

Tracy Conti, Region Three Director  
658 North 1500 West  
Orem, UT 84057  
(801) 227-8001

#### Region 4

Dal Hawks, Region Four Director  
1345 South 350 West  
P.O. Box 700  
Richfield, UT 84701  
(435) 893-4700

**For coordination within urbanized areas, please contact your Metropolitan Planning Organization:**

#### Wasatch Front Regional Council

*Salt Lake, Davis, Weber Counties Urbanized Area*  
Jory Johner  
295 North Jimmy Doolittle Road  
Salt Lake City, UT 84116  
(801) 363-4250

#### Cache Metropolitan Planning Organization

*Logan/Cache Urbanized Area*  
c/o Cache County  
120 N. 100 W.  
Logan, UT 84321  
(435) 716-7153

#### Mountainland Association of Governments

*Provo/Orem/Utah County Urbanized Area*  
Shawn Seager  
586 East 800 North,  
Orem, UT 84097-4146  
(801) 229-3800

#### Dixie Metropolitan Planning Organization

*St. George Urbanized Area*  
Lowell Elmer  
1070 West 1600 South  
St. George, UT 84770  
(435) 673-3548

**Associations of Governments for Non-Urban Projects:**

#### Bear River AOG

(435) 752-7242  
Logan, UT (*Box Elder, Cache and Rich Counties*)

#### Five County AOG

(435) 673-3548  
St. George, UT (*Beaver, Garfield, Iron, Kane and Washington Counties*)

#### Mountainland Association of Governments

Orem, UT (801) 229-3800  
(*Summit and Wasatch County, Utah County non-urbanized area*)

#### Six County AOG

(435) 896-9222  
Richfield, UT (*Juab, Millard, Piute, Sanpete, Sevier, and Wayne Counties*)

#### Southeastern AOG

(435) 637-5444  
Price, UT (*Carbon, Emery, Grand, and San Juan Counties*)

#### Uintah Basin AOG

(435) 722-4518  
Roosevelt, UT (*Daggett, Duchesne and Uintah Counties*)

#### Wasatch Front Regional Council

(801) 363-4250  
Salt Lake City, UT (*Morgan County, Tooele County*)